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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,452	06/05/2002	Kalle Ahmavaara	915-003.5	2848

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EXAMINER

TRAN, CONGVAN

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 06/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/088,452

Applicant(s)

AHMAVAARA, KALLE

Examiner

CongVan Tran

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to amendment filed on Jan. 06, 2005.
2. Claim 27 has been amended.

Response to Arguments

3. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Noguera-Rodriguez et al. (6,687,249).

Regarding claims 1-6, 12-14, 16, Noguera-Rodríguez discloses a reconfiguration diversity LEGS during CN-RNC interface streamlining, comprising defining a protocol initialization unit containing predetermined information of a first termination point of a first protocol by first protocol (see abstract, figs.1-3, SRNC figs.4-5 and its description); transferring the protocol initialization unit from the first terminal point to a second terminal point by a second protocol (see figs.1-3, DHO, DRNC, figs.4-5 and its

Art Unit: 2683

description); and initialization based on the protocol initialization unit (see abstract, figs.1-3, DHO, DRNC, figs.4-5 and its description).

Regarding claims 7-10, Noguera-Rodriguez further discloses the transmission is based on a radio access network application part (see figs.1-3, SRNC, RNC-RNC interface, DRNC, figs.4-5 and its description).

Regarding claims 11, 15, these features are inherent protocol communication network for controlling over the air interface between RNC and mobile station.

Regarding claims 17-22, Noguera-Rodriguez discloses a reconfiguration diversity LEGS during CN-RNC interface streamlining, comprising: a first protocol termination point protocol (see abstract, figs.1-3, SRNC figs.4-5 and its description); a second protocol termination point (see figs.1-3, figs.4-5 DRNC, and its description); control means for relocating a first protocol from the first protocol termination point the second protocol point, said control means being arranged to form a protocol initiation unit containing predetermined information of the first protocol at the first protocol termination point (see figs.1-3, DHO, DRNC, figs.4-5 and its description); communication path based on a second protocol between the first and the second termination points for transferring the protocol initialization unit (see figs.1-3, SRNC, RNC-RNC interface, DRNC, figs.4-5 and its description); and control means for initializing the second protocol termination point based on the protocol initialization unit unit (see abstract, figs.1-3, DHO, DRNC, figs.4-5 and its description).

Regarding claims 23, 25-26, Noguera-Rodriguez discloses a reconfiguration diversity LEGS during CN-RNC interface streamlining, comprising: a protocol

Art Unit: 2683

termination point (see abstract, figs.1-3, SRNC figs.4-5 and its description); control means for relocating a first protocol from the protocol termination point to another protocol termination point, said control means being arranged to form a protocol initialization unit containing predetermined information of the first protocol at the protocol termination point unit (see figs.1-3, DHO, DRNC, figs.4-5 and its description); and interface to said other protocol termination point based on a second protocol for transferring the protocol initialization unit from the termination point by means of second protocol (see figs.1-3, SRNC, RNC-RNC interface, DRNC, figs.4-5 and its description).

Regarding claim 27, Noguera-Rodriguez discloses a reconfiguration diversity LEGS during CN-RNC interface streamlining, comprising: a protocol terminal point of a first protocol (see figs.1-3, SRNC figs.4-5 and its description); an interface to another protocol terminal point for receiving a protocol initialization unit containing predetermined information of the first protocol at said other terminal point, wherein the interface is based on the a second protocol (see figs.1-3, DHO, figs.4-5 DRNC and its description); and control means for initializing the protocol termination point based on the received protocol initialization unit (see figs.1-3, DHO, figs.4-5 and its description).

Regarding claims 24, 28, Noguera-Rodriguez further discloses a controller of a cellular communication network (see figs.1-3, CN and its description).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CongVan Tran whose telephone number is 571-272-7871. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CONGVAN TRAN
PRIMARY EXAMINER

CongVan Tran
Primary Examiner
Art Unit 2683

Jun. 06, 2006.